

UNITED STATES DISTRICT COURT  
THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

**IN RE: DAVOL, INC./C.R. BARD,  
INC., POLYPROPYLENE HERNIA  
MESH PRODUCTS LIABILITY  
LITIGATION**

**Case No. 2:18-md-2846**

**Judge Edmund A. Sargus, Jr.  
Magistrate Judge Kimberly A. Jolson**

**This document relates to:  
*Battisti v. Davol, Inc., et al.*  
Case No. 2:21-cv-3112**

**ORDER**

This matter is before the Court on Plaintiff's unopposed Motion to Substitute Party. (ECF No. 4.) Rule 25 provides that, “[i]f a party dies and the claim is not extinguished, the court may order substitution of the proper party.” Fed. R. Civ. P. 25(a)(1). “A motion for substitution may be made by any party or by the decedent’s successor or representative.” *Id.*

Following Plaintiff's death, Linda Battisti was appointed as representative of his estate. (ECF No. 4.) Plaintiff now moves for the substitution of Linda Battisti, as representative of the estate of James Battisti, as the proper plaintiff. (*Id.*) Plaintiff's unopposed Motion to Substitute Linda Battisti as the proper plaintiff is **GRANTED**. The Clerk is directed to substitute Linda Battisti, as representative of the estate of James Battisti, as Plaintiff in place of James Battisti.

**IT IS SO ORDERED.**

5/17/2023  
DATE

s/Edmund A. Sargus, Jr.  
EDMUND A. SARGUS, JR.  
UNITED STATES DISTRICT JUDGE